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SENSITIVE

C O R R E C T E D C O P Y (ADDED CAPTION)

SIPDIS
VILNIUS ALSO FOR EMBASSY MINSK

E.O. 12958: N/A
TAGS: [OSCE](#) [PREL](#) [PHUM](#) [KDEM](#)
SUBJECT: OSCE HUMAN DIMENSION MEETING DEMARCHE

REF: STATE 60838

11. (SBU) Summary and Action Request: The OSCE will conduct its annual Human Dimension Implementation Meeting (HDIM) from September 29 through October 10 in Warsaw. Based in part on embassies' input (reftel), which the Department appreciates, this demarche conveys USG concerns on host government human rights and democracy performance and requests specific action in these areas prior to the HDIM. Action addressees are requested to deliver this demarche by July 24, to allow time for host government action on our concerns prior to the HDIM. See para 5 for general points; post-specific points in paras 6-22. Embassy Minsk may deliver this demarche at its discretion. End summary.

Objective

12. (SBU) To convey USG concerns about human rights and democratic performance and to use the prospect of specific USG constructive criticism and praise at the HDIM to leverage action on human rights priorities.

Background

13. (SBU) The annual OSCE HDIM meeting is a useful stock-taking of countries' progress, or lack thereof, in implementing their commitments to respect human rights and basic freedoms -- including democratic elections and freedom of the press) undertaken in the context of several OSCE conventions, including most recently the 1992 Helsinki protocol. Although the agenda for this year's HDIM is still

being finalized, we expect that religious freedom and the situation of the Roma/Sinti will be key topics.

¶4. (SBU) As with past HDIM meetings, the USG delegation will be prepared to present a balanced assessment of OSCE participating States' progress towards meeting their OSCE commitments. To enhance the USG's dialogue with OSCE members on these issues, the Department requests that action addressees engage with host governments on USG goals for the upcoming Warsaw meeting. In particular, the Department would like to urge some of our OSCE partners to take specific steps in the weeks before the HDIM conference to show their commitment to working towards fulfillment of the OSCE standards. The USG delegation will be prepared to recognize positive steps that countries have taken, allowing us, to the extent possible, to balance criticism with praise.

Talking Points

¶5. (SBU) Addressees may wish to draw on the following points. Begin General Talking Points:

- The USG is preparing for the September 29 to October 10 OSCE Human Dimension Implementation Meeting (HDIM) in Warsaw.
- We take this event very seriously, and believe it can provide a useful opportunity for all OSCE participating countries to assess progress towards fulfillment of the commitments undertaken as OSCE members to guarantee human rights and fundamental freedoms.
- We hope that your government will be well-represented at the conference and prepared to engage actively in a detailed dialogue.
- The U.S. delegation to the conference will be prepared to make a balanced assessment of how the U.S. views the progress towards fulfillment of these shared commitments that all of our OSCE partners, including your government, have made.
- As the annual HDIM is the primary OSCE forum for discussion of all participating states' implementation of their OSCE commitments on human rights, and we expect that others will wish to discuss U.S. implementation as well. We welcome this process, and are undertaking this demarche in the OSCE spirit of mutual dialogue on important issues.
- We would like to share with you some of the concerns that we are likely to raise at the HDIM, as well as areas where we see progress.
- The U.S. would be pleased to publicly acknowledge other areas of progress at the HDIM should your government take action to address these concerns prior to the HDIM.
- The U.S. delegation traditionally is led by a distinguished senior official in recognition of the importance we place on the HDIM. This year, former Director General of the Foreign Service, Ambassador Robert Pearson, has agreed to serve as the head of delegation.

Azerbaijan

¶6. (SBU) For Embassy Baku:

- Azerbaijan's October 15 presidential election presents an important opportunity for the Azerbaijani Government to demonstrate its commitment to democratic reform. The pre-election climate, particularly with respect to media freedom, candidate access to the media, freedom of assembly, and freedom of association, is just as important to the conduct of the election as the actual voting and vote tabulation process.

- We continue to be concerned by the poor media environment in Azerbaijan. We urge your government to send a strong signal of its commitment to media freedom, for example by issuing a statement indicating that violence against journalists will not be tolerated, and renewing the moratorium on criminal libel suits. We also urge your government to investigate and prosecute those responsible for violence against journalists.

- Another concrete measure that we urge your government to take prior to HDIM is the release of all journalists who have been imprisoned for the peaceful exercise of their right to freedom of expression, including Aynulla Fatullayev, Sakit Zakhidov and Genimet Zakhidov.

- Candidate access to the media will be particularly important in the run-up to the October presidential election. Recent amendments to the electoral code provide for free air time for candidates on public television; we hope that this provision will be implemented in a transparent and equitable fashion.

- Azerbaijan's parliament recently amended the law on freedom of assembly; we hope that this important piece of legislation will be implemented in a way that enables citizens to better exercise their fundamental human rights.

- Freedom of association also is important. We urge your government to ensure that all political party leaders are allowed to travel abroad and domestically to conduct normal party activities, including attending political rallies and meetings.

- A strong international and domestic observation mission will support your government's goal of holding a free and fair election on October 15. Your government has a long and successful record in this area, including election observation work conducted by the Election Monitoring Center (EMC).

- We were disappointed by your government's recent decision to deregister the Election Monitoring Center. We urge your government to work with the EMC to address the technical issues that prompted this decision, and ensure that EMC is able to conduct its election observation activities. We also hope that other domestic observation organizations will be allowed to conduct their work.

-- An early election monitoring invitation to ODIHR also would demonstrate your government's commitment to conducting an election that meets international democratic standards.

- We also urge your government to work closely with the Venice Commission and ODIHR on their joint June 23 recommendations concerning the draft changes to the electoral code.

-- We continue to be concerned by violations of religious freedom in Azerbaijan. We urge your government to ensure that officials do not detain or harass leaders and members of Islamic and non-traditional minority religious groups, and remove impediments to legal registration of religious groups.

Armenia

17. (SBU) For Embassy Yerevan:

-- We have a broad series of human rights concerns, but we would like to highlight the need for action in two specific areas.

-- We urge the GoA seriously to engage in reconciliation and dialogue with the opposition, including implementing the provisions of the Council of Europe's post-election resolution on releasing prisoners, reconciliation, etc, which have not been fulfilled.

-- This action is a necessary first step to restoring political peace.

-- We also urge the government to implement the recent ECHR ruling regarding Al Plus Television and to allow it back on the air. Reinstating this independent station would be a clear sign of the government's commitment to democratic reform.

-- The number of jailed conscientious objectors to military service continues to increase. We encourage your government to release these individuals and to provide legal opportunities for conscientious objectors to perform alternative civilian service independent of military control.

Belarus

18. (SBU) For Embassy Minsk:

-- We once again urge the GoB to release all political prisoners, including Alyaksandr Kazulin, Andrey Kim and Syarhey Paryukevich.

-- U.S. Citizen Emanuel Zeltser should be released on humanitarian grounds.

-- We urge the Government to change laws infringing on religious freedom and end discrimination against religious groups, particularly the levying of fines against members of minority groups.

Bosnia and Herzegovina

19. (SBU) For Embassy Sarajevo:

-- We are concerned by the situation of the Roma/Sinti in Bosnia and Herzegovina.

-- We urge you to adopt a comprehensive action plan addressing the situation of the Roma as a first step for dealing with the problem.

-- We are concerned about the climate of intimidation of journalists in BiH, particularly in the Republika Srpska. A free and vibrant press is one of the cornerstones of any democracy, and efforts to undermine journalistic freedom weaken diminish transparency in a country, and thus weaken the democratic process overall.

-- We urge that BiH take steps to ensure that individuals who intimidate journalists, or condone such actions, are prosecuted and punished to the full extent of the law.

Bulgaria

10. (SBU) For Embassy Sofia:

-- We welcome the progress that Bulgaria has made in combating trafficking in persons.

-- We note as well that the number of children in state institutions has been falling according to official statistics, but remain concerned with conditions of care there, including for Roma children. We hope that your ten-year strategy is implemented successfully.

-- We are concerned by recent intolerant statements by local government officials and clerics in certain localities directed against "non-traditional" religious groups,

particularly the Church of Jesus Christ of Latter-Day Saints (Mormons) and the Jehovah's Witnesses.

-- For example, the April letter from the Deputy Mayor of Burgas directing teachers to warn students about "dangerous sects", including Mormons, Jehovah's Witnesses and Evangelical Pentecostal Christians. In June, an Orthodox priest from Burgas called for the expulsion of two Mormon missionaries.

-- Incidents such as these are inconsistent with Bulgaria's commitments relating to the freedom of Religion. We urge your government to repudiate such statements by officials.

Czech Republic

11. (SBU) For Embassy Prague:

-- The USG values our partnership with the Czech Republic in promoting human rights and basic freedoms abroad.

-- We applaud your commitment to promoting democracy around the world and that you put real resources, such as those of your MFA transformation policy unit, into supporting these goals.

-- We appreciate that Prague has been a good home for Radio Free Europe/Radio Liberty (RFE/RL) and its outreach to countries in transition in the former Soviet Union and the Middle East.

- However, we wanted to raise a problem we see domestically in the Czech Republic.

-- We remain concerned by the treatment of your country's largest ethnic minority group, the Roma.

-- The Roma community continues to face widespread discrimination and lack equitable education, housing, and employment opportunities. The November 2007 European Court of Human Rights ruling highlighted the problem of discrimination against Roma students.

-- We urge you to take concrete steps to ameliorate this situation and bring your treatment of the Roma up to OSCE standards.

Georgia

12. (SBU) For Embassy Tbilisi:

-- We commend your government for reaching out to the opposition after the parliamentary elections. For democracy to develop deep roots, it requires a viable opposition that sees benefits to resolving disputes through democratic institutions, and an empowered, independent parliament and judiciary that provide a check on the Executive branch.

-- We urge your government to work with the opposition in Parliament to foster a culture of respect for political pluralism and establish oversight mechanisms.

-- In this context, we are concerned by a reported draft amendment that would eliminate state funding for five opposition parties who are boycotting the new Parliament. We are concerned that such an action would simply add to the sources of polarization.

-- We welcome the recent approval of the action plan to eliminate torture and urge its full implementation, including adhering to specific milestones and a concrete timetable.

-- We also urge investigation into credible accounts of politically motivated attacks on opposition members.

Greece

¶13. (SBU) For Embassy Athens:

- We wanted to raise the situation of the Roma in Greece.
- Most Roma continue to live in squalid and inhumane conditions without running water, electricity, and waste removal.
- We welcome the recent steps your government has taken to address their circumstances, but much more remains to be done.
- We urge your government to make equal access to provision of public services a priority of your human rights agenda.
- We would like to raise as well the issue of ethnic minorities in Greece.
- In this context, we welcome your ongoing effort to write off the tax debts of the WAKFS (charitable religious organizations).
- We know your longstanding interpretation of the 1923 Lausanne Treaty with regard to the question of national minorities.
- The practical effect of this interpretation has been legal restrictions on the names of associations involving certain groups, as we noted in our Human Rights Report.
- This has placed Greece at odds with the European Court for Human Rights on several occasions.
- We urge you to find an approach to this issue that will provide redress to the Greek citizens who identify themselves as Turks, Pomaks, Vlachs, Roma, Arvanites, or Macedonians, among others.

Italy

¶14. (SBU) For Embassy Rome:

- We in the United States have at various times in our history struggled, and in some respects continue to struggle, with the specter of racism and discrimination.
- Speaking therefore as friends and based on the deep bonds and long-standing alliance between our countries, we must express our concern at the situation the Roma and Sinti face in Italy.
- The Roma continue to face discrimination and unequal access to public services.
- The May 2008 anti-Roma incidents in Naples and other cities, which included the burning of Roma Caravans and dwellings, concern us.
- It is important for public officials to condemn these sorts of race-based reprisals immediately, whenever they occur.
- The wholesale fingerprinting of all Roma, including children, would be the sort of step that could inflame a difficult situation.
- We urge that your government reconsider this policy that appears discriminatory towards the Roma.

Kazakhstan

¶15. (SBU) For Embassy Astana:

-- We commend Kazakhstan's progress in combating trafficking in persons. We urge you to maintain the momentum you have built up on all fronts - prosecution, protection, and prevention.

-- We stress again that implementation of the Madrid commitments is necessary for Kazakhstan to be an effective OSCE chairman.

-- Much work remains to be done on the promised legislation that is to be presented to Parliament by the end of 2008.

-- On ODIHR, we welcomed your public affirmation in Madrid that Kazakhstan would work to preserve ODIHR's current mandate and autonomy and fight future attempts to undermine it.

-- We welcomed that affirmation, but have not heard Kazakhstan's representatives in Vienna speak out in support of ODIHR when its election monitoring functions are challenged. We urge your government to do so.

-- On freedom of media, we welcome the restoration of access to RFE/RL's internet sites. We expect that this access will remain uninterrupted in the future.

-- Several opposition websites remain blocked, however, and we urge you to allow free access to these opposition media websites in accordance with Kazakhstan undertakings to protect freedom of expression.

-- We note that while no journalists have been imprisoned recently for libel, these provisions nevertheless remain in the law. We urge you to replace such criminal penalties with civil remedies, as many other countries have done.

-- We remain concerned about a package of amendments to Kazakhstan's religion law under consideration in parliament which appear aimed at asserting greater government authority over so-called "non-traditional" religious groups, such as evangelical Protestants, Jehovah's Witnesses, and Hare Krishnas.

-- We urge you to ensure that ODIHR's recommendations on the law are incorporated so that the law meets OSCE standards.

-- We also encourage your government to reach an equitable settlement with the Hare Krishna community land dispute.

-- We note that Kazakhstani law now prohibits the worst forms of child labor and welcome your government's efforts to combat it.

-- We urge improved enforcement given the continued serious problem that child labor represents in cotton and tobacco production, particularly among migrant workers.

Kyrgyzstan

¶16. (SBU) For Embassy Bishkek:

-- We are concerned that by several recent actions that call into question Kyrgyzstan's commitment to freedom of expression for the media. The recent amendments to the broadcasting did not follow through on the government's commitment to make the national television and radio network independent. These amendments may force the closure of smaller local broadcasters that cannot comply with the new Kyrgyz language requirements.

-- We urge the government to take concrete actions to protect journalists. These include making progress on the

investigation into the October 2007 murder of journalist Alisher Saipov, and urge that the government decriminalize libel and slander.

-- We are concerned that Kyrgyzstan, in its understandable effort to combat extremism, is replacing a commendably open religion law with an extremely restrictive one. We urge the government to seek ODIHR review of the law to ensure it is compatible with Kyrgyzstan's religious freedom commitments in the OSCE.

-- We encourage the government to amend the newly passed and restrictive law on public assembly, taking into account the review by the ODIHR expert panel that was completed on June 130.

-- We also continue to be concerned about the treatment of refugees in your country. While we acknowledge efforts to resettle many asylum seekers, we ask that your government do more to ensure the safety of all registered refugees and investigate past cases of illegitimate refoulements and/or kidnappings, including Uzbek asylum seeker Erkin Halikov.

Lithuania

117. (SBU) For Embassy Vilnius:

-- We remain concerned by the continuing problem of anti-Semitism and intolerance in Lithuania.

-- It is important when such acts or statements against minorities occur that the government condemn them immediately and clearly, in line with the relevant provision of the OSCE Berlin Declaration.

-- A week had passed before the government denounced the anti-Semitic and anti-Russian nature of a March 11 skinhead march. Other incidents, such as the display of swastikas, have not been repudiated.

-- We urge you to grant comprehensive cultural heritage protection to the historic Jewish cemetery in the Snipiskes neighborhood of Vilnius.

-- Doing so would promote and protect Lithuania's diverse history and would send a clear message of tolerance and respect for human rights.

-- Another specific measure you could take is to provide for the return of or compensation for communal Jewish property taken by the Nazi and Soviet occupying regimes.

Macedonia

118. (SBU) For Embassy Skopje:

-- We welcome the notable progress Macedonia has made in recent years in combating trafficking in persons.

-- We hope you continue to build on your strong and effective inter-agency network and vigorous efforts in areas of prevention, protection, and prosecution, in order to maintain Macedonia's Tier 1 status for 2009.

-- On elections, the June 15 and June 29 re-runs of the parliamentary elections were conducted in a substantially improved security environment compared to the seriously flawed June 1 vote, and professional and effective conduct of law enforcement authorities prevented serious incidents of violence.

-- Re-runs were nevertheless also marred by serious irregularities in a number of polling stations, including ballot stuffing and organized group, family, and proxy

voting. We urge you to continue to investigate and appropriately sanction those found to have perpetrated election fraud.

-- It will be necessary to apply lessons learned in future elections. Partisan staffing of electoral institutions, for instance, (e.g., local election boards) may be a systemic flaw requiring systemic remedy.

-- On the question of ethnic minorities, we are pleased that incidents of inter-ethnic disputes in schools decreased for the third consecutive year and welcome the upgrading of the "sector" for the implementation of the Ohrid Framework Agreement to a full secretariat.

-- We urge your government to redouble efforts to increase ethnic minority representation in the public administration, while maintaining transparency and impartial professional recruitment standards.

-- We were disquieted by continued instances of police abuse of suspects, including the "Mountain Storm" police operation in the village of Brodec. We welcome the investigation and suspension of the officers involved, and urge similar investigations and attention in other such cases.

-- With regard to the Roma, we are pleased that Roma NGOs report that instances of direct attacks against Roma have diminished significantly, but we note that discrimination and serious imbalances in access to education and governmental services persist.

-- We urge focused implementation of the commitments the government made under the "Decade of the Roma" program.

-- We applaud the May 2008 entry into force of the new Law on Religious Groups and Communities, which we believe is in line with OSCE standards.

-- We look forward to even-handed implementation of its provisions for all religious groups and communities. A clear separation of church and state is necessary for such even-handedness, as government funding for any group's construction projects or of religious education in public schools can easily give rise to charges of favoritism.

Moldova

19. (SBU) For Embassy Chisinau:

-- We urge your government to ensure that media access for political parties and candidates is unhindered before the Spring 2009 parliamentary elections and that government does not influence or pressure media inappropriately.

-- We encourage the Central Election Commission continues to maintain its commendable neutrality in registering candidates and conducting the vote;

-- We urge Moldova to enhance efforts to prevent trafficking in persons, protect victims, and prosecute perpetrators.

-- We hope the government will continue to implement improvements in registration procedures and access to public places for all religious groups in Moldova, as provided for by the Law on Religion adopted in August 2007.

Russia

20. (SBU) For Embassy Moscow:

-- We hope that we can have a productive exchange of views at this year's HDIM. There is much to be learned from the exchange of best practices across the region.

-- We value this opportunity to sit down together to review implementation of OSCE commitments among participating States, including by the United States.

-- There are some troubling trends across the region on these human dimension issues. Your government has highlighted in public statements the need to address many of these problems and has launched many positive initiatives in a number of areas.

-- We are encouraged by several new initiatives launched by the Russian Government to establish rule of law, combat corruption and build an independent and effective judiciary and hope that these efforts will be successful.

-- In this context, a free and vibrant civil society and press are integral components to rule of law and countering corruption and we note statements by President Medvedev that Russia will seek to meet its OSCE commitments in this regard.

-- We were encouraged that the Duma rejected proposed amendments to the media law that would have allowed media outlets to be closed for libel without a court order.

-- We are concerned about the new government edict eliminating tax-free status for foreign-funded NGOs and hope that implementation of this edict will not hinder the broad scope of the important and good work that such NGOs are doing in Russia.

-- On the question of democratic elections, we noted at the time, following reports by OSCE PA and COE observers, that the government effectively limited political pluralism through the use of administrative resources, that media coverage, particularly among state-controlled television, was biased, and that there was intimidation and restriction of the political opposition.

-- We hope that the government will address those concerns in order to allow for an electoral environment that meets Russia's OSCE commitments to open, democratic elections and OSCE observation thereof.

-- We urge Russia to move forward with plans to build a multiparty system that allows for a diversity of views and opposition voices, and hope that such a system would not be hampered by excessively burdensome legislative registration requirements.

-- We share the Russian Government's concern about hate crimes and xenophobia. We have seen such crimes increase in several countries, and realize that this is an issue of serious concern in Russia, as there has been a significant increase in 2008 in ethnically motivated attacks.

-- In this context, we welcome President Medvedev's public condemnation of xenophobia and the efforts of Human Rights Ombudsman Lukin to draw attention to the issue.

-- We see law enforcement organs taking some steps to prosecute these crimes, but we believe more could be done to address the underlying intolerance that motivates such crimes and improve the capacity of the criminal justice system in this regard. We stand ready to work with Russia both bilaterally and through the OSCE to address this challenge.

-- We would like to commend your government for opening up the refugee status determination procedure to allow greater access, as well as to reconsider previously rejected cases where applicants continue to assert they would face persecution if repatriated.

-- Migrant labor is an issue that OSCE participating States, including the United States, struggle with at times. This remains a sensitive issue in many European countries. Russia's migration legislation, implemented last year, usefully clarified labor laws for migrant workers.

-- We would urge improved implementation of that law, and that it be put into the framework of a comprehensive migration policy, addressing equal employment, taxation, and access to health care for migrant workers.

-- Religious freedom is also an important issue to OSCE participating States. We note Russia's efforts in recent years to maintain a multi-religious society and ensure religious freedom but are concerned about difficulties some religious minorities face with regard to unequal treatment compared to "traditional" religious denominations, impediments to legal registration, the misuse of anti-extremism laws, and the failure to return property confiscated from religious groups.

Serbia

121. (SBU) For Embassy Belgrade:

-- We welcome the parliamentary passage of implementing legislation for the national strategy for judicial reform. We urge you to implement the legislation as quickly as possible now that the new government is formed.

-- We congratulate you on the arrest of Stojan Zupljanin on June 11, 2008, and on the 2007 arrests of Zdravko Tolimir and Vlastimir Djordjevic and the continued investigations and prosecutions of several organized crime and war crimes suspects.

-- We urge you to do more to capture the remaining three fugitive war crimes suspects under indictment by the International Criminal Tribunal for the Former Yugoslavia (ICTY) -- Radovan Karadzic, Ratko Mladic, and Goran Hadzic.

-- We welcome the strides Serbia has made in addressing corruption in the police and the judiciary. The fact that the Supreme Court has upheld the conviction of a former Supreme Court judge for bribery shows Serbia's commitment to fighting official corruption.

-- We were pleased with the conduct of the presidential and parliamentary elections in 2008, which the OSCE assessed as being in line with international standards and conducted professionally.

-- We welcome the significant efforts Serbia has been making to comply with the minimum standards for combating trafficking in persons, including training law enforcement in victim identification, providing services to victims, and investigating and prosecuting traffickers.

-- We would like to raise again the restrictive 2006 Religion Law, which recognizes only seven "traditional" churches and requires all other religious communities to reregister to receive official recognition.

-- In addition to being discriminatory, we hear reports that the law continues to be applied arbitrarily, including the refusal of the Religion Ministry to register many minority churches.

-- These minority religious communities have experienced increasing incidences of vandalism against their houses of worship -- often without appropriate police response.

-- We also urge greater attention to the question of finding durable solutions for the large numbers of internally displaced persons in Serbia.

Slovakia

122. (SBU) For Embassy Bratislava:

-- The Press Law which took effect on June 1, 2008, contains a very broad right of reply, which grants any reader, including government agencies and entities with no connection to a story, the right to respond regardless of whether articles are factually correct, so long as they "touch on the honor, dignity, or privacy" of a person or legal entity.

-- Many independent experts who evaluated the Press Law believe that this broad wording could allow undue government and political influence over media editorial boards.

-- We urge you to amend the Press Law consistent with the recommendations made by the OSCE Freedom of Media Representative.

-- We are pleased that Deputy PM Caplovic has outlined a comprehensive strategy to address the situation of Slovakia's Roma minority.

-- We support Caplovic's efforts to bring attention to this pressing human rights issue in Slovakia and to create realistic solutions for the problem.

-- We urge the ministries of your government to utilize at least the 2 percent minimum of the Eurofunds allocated to Slovakia to implement these programs.

-- We encourage the government to approve a plan and to allocate the necessary funds for it that would aid cities and villages relocating Roma families from unsafe buildings.

-- This would help improve the situation surrounding forced evictions of Roma, such as those noted by the Milan Simecka Foundation and of the inadequate housing provided for evicted Roma families in Nove Zamky.

-- We are concerned by apparent tightening of requirements for the registration of religious groups in Slovakia by requiring at least 20,000 adherents for official registration.

-- We encourage the government to loosen these requirements to allow greater freedom in the registration of new religions in conjunction with Slovakia's commitment to religious freedom.

-- We congratulate the Slovak Parliament on its work with NGOs and Human Rights organizations to amend to the Anti-Discrimination Law.

Tajikistan

123. (SBU) For Embassy Dushanbe:

-- The United States believes that protection of human rights and the promotion of democracy are fundamental to creating a stable and prosperous society.

-- Democratic reforms, inasmuch as they improve the way the people perceive their treatment by the government, can enhance stability.

-- Protection of property rights is a key to any functioning economy. When governments revoke such rights, it must be done only with full transparency, including consultation with the affected property-holders, and with full restitution for the market value of the property in question.

-- Property that is state-owned is managed for the benefit of the community at large; the public should be informed of how the government manages such property. We urge you to make public your plans for the development of city property, and to duly inform those whose rights may be affected by these plans.

-- These principles seem not to have been respected in numerous evictions by the authorities in Dushanbe, and in particular with regard to the Jewish Community in Dushanbe. Government officials are obliged to follow the law in respecting private property, or reallocating public land for use, and must do so with full transparency.

-- We urge you to provide full and prompt restitution to those whose property has been seized or demolished, including that of the Jewish community for the razing of the only synagogue in Dushanbe.

-- We ask that you to allow the International Committee of the Red Cross and Red Crescent (ICRC) full access to all prisons.

-- We are concerned that child labor continues to be used in the cotton sector, despite legal prohibitions.

-- There are many practical measures you could take to combat this practice, such as not closing schools during the harvest, reprimanding government officials who pressure students to work, and using labor inspections to catch violators.

-- We call on your government to implement the recommendations in the ODIHR reports on the November 2006 elections. Action should be taken now to improve performance in the next elections.

-- We are concerned with the use of criminal libel and slander laws to pressure the media. We urge their replacement with civil remedies, as many other countries have done. We further encourage you to register and license independent radio and television stations, including six community radio stations which have been established in rural areas with U.S. funding through Internews.

-- NGOs can be valuable partners for governments, including in providing services in areas where governments have difficulty doing so.

-- Registration requirements for NGOs, however, are unduly complicated and have been used as a tool to harass some legitimate NGOs. We urge that they be simplified, and that the National Democratic Institute be registered.

-- We note that in many countries, including some in the region, efforts to restrict religious practice simply strengthen the growth of radicalism. We urge your government ensure that any new legislation concerning freedom of religion or belief meets international standards and encourage you to seek technical assistance from ODIHR on such legislation.

-- We also urge your government to reverse the banning of the Jehovah's Witnesses, Ehyo Protestant Church, and Abundant Life Christian Center, and allow them to freely practice their faith.

-- Tajik women continue to see their social and educational gains of the twentieth century erode. We urge you to give the Committee on Women's Affairs real authority that will make them a true player and advocate for women.

Turkey

124. (U) For Embassy Ankara:

-- We have concerns about the respect for religious freedoms for minorities. Minority religious groups face difficulties in obtaining recognition of their groups and their leadership structures.

-- Minority religious groups have difficulties establishing and maintain places of worship and institutions for religious

education and instruction.

-- Their children are not exempt from compulsory religious instruction in schools.

-- Many reforms are necessary to improve the situation, and these take time, but there is one concrete measure that you could take prior to the HDIM: We urge the Turkish Government to take the actions necessary to allow the opening of the Theological School at Halki.

-- Another concrete step your government could take is to ensure consistent implementation of 2006 law allowing citizens to change religious affiliation or not specify a religious affiliation on their ID cards. This may require disciplining officials who ignore the 2006 law and harass citizens seeking these changes.

Turkmenistan

¶25. (SBU) For Embassy Ashgabat:

(Should Turkmenistan still be blocking consensus on the HDIM Agenda in Vienna, please use this point:) We urge your government to join consensus in Vienna on the agenda for the HDIM as proposed by the Chairmanship. The issue of which NGOs attend the HDIM and the OSCE's policies on NGOs is unrelated to the adoption of the agenda and we urge you not to link them.

-- We urge your government to send an appropriately senior delegation to this year's HDIM prepared to discuss the steps that your government has begun to take to meet its OSCE commitments and international human rights obligations.

-- We are deeply troubled by the June 20 detention and abuse by Turkmen authorities of Radio Free Europe/Radio Liberty (RFE/RL) contributor Sazak Durdymuradov. Any attempt to threaten journalists is an unacceptable affront to human rights and violates the word and spirit of our OSCE commitments.

-- We call on your government to fully investigate the incident, address the allegation of abuse, and hold those responsible to account for any abuse that may have occurred.

-- We commend the government's decision to develop a national strategic plan to catalogue and to implement the international human rights conventions to which it is a party, and for having already taken some steps toward fulfilling its international human rights obligations, although much work remains to be done.

-- These steps include:

-Establishing a Human Rights Commission under the President in late 2007, as part of its publicly stated intention to fulfill the country's international human rights obligations.

The Commission has been demonstrating its commitment to the process by working closely with UNDP, the EU, and OSCE to integrate international human rights obligations into Turkmen legislation, judicial practice, and state institutions.

-Revising the Laws on Women's Rights and Children's Rights, and instituting a new Law on Trafficking in Persons to bring national laws into conformity with the country's OSCE international treaty and convention obligations. We understand you are currently undertaking a significant revision of the National Constitution that will facilitate other planned reforms.

-Reinstating a tenth year of compulsory schooling and, in higher education, expanding student enrollments, extending the term of study to five years, and beginning to re-establish post-graduate programs.

-- We urge the government to continue its positive momentum on reform by fully implementing steps it has already begun to take, including:

-- Revising and reforming the Criminal Code, the Criminal Procedure Code, the Civil Code, and the religion law, in cooperation with international experts. This will represent positive developments in building a sound framework for strengthening the rule of law and supporting human rights.

-- Registering the first non-government organization since 2005. We urge the government to continue to register non-government organizations in the coming months. Two religious organizations were also successfully registered in 2007, and additional registrations would be welcomed.

-- Turkmen television media organizations have begun broadening their coverage of international news events, and the United States encourages additional efforts to increase public access to information via television, Internet and print sources. In the spirit of greater international coverage, the United States would welcome press accreditation for additional foreign correspondents in Turkmenistan.

-- For the first time, the government engaged this year in substantive discussions with visiting high-level ICRC, OSCE, and EU delegations. The United States remains optimistic that such dialogues will continue and lead to concrete cooperation with such entities that will advance Turkmenistan's human rights goals.

-- On May 20, we delivered to you a non-paper entitled "Steps for Further Democratic Reform and Human Rights Protection" in Ashgabat and Washington DC. We urge you to implement the steps outlined in the non-paper: end harassment of RFE/RL journalists and their families and work towards accrediting RFE/RL's reporters; release prisoners of concern; register the Turan Mugallym and Trust Group non-governmental organizations; make public the registration requirements for religious organizations and register organizations that meet them including Svet Zhizni and Imam Yoly groups; and eliminate negative voting.

-- The non-paper included a section on "Suggested Democracy and Human Rights Cooperation Proposals." We stand ready to discuss those cooperation proposals in further detail and begin implementation.

-- One concrete action you could take prior to HDIM would be to release former FM and OSCE Ambassador Batyr Berdiyev.

-- In addition, we would welcome the lifting the suspended sentences of two Jehovah's Witnesses, Bayram Ashirgeldiyev and Begench Shakhmuradov, as has been done with most other Jehovah's Witnesses sentenced for conscientious objection to military service.

Ukraine

126. (SBU) For Embassy Kyiv:

-- We note the recent transfer of responsibility for asylum and migration issues from the State Committee on Nationalities and Religion to the Ministry of Interior.

-- We encourage the new State Department of Migration Services to ensure that during the transition phase, asylum seekers do not face unnecessary and increased processing delays.

-- We understand that the Cabinet of Ministers decree has instructed the SCNR propose necessary legislation to carry out this transfer by September 1, 2008.

-- The transfer provides an opportunity for the Department of Migration Services to simplify and streamline the current

complicated and lengthy application process for asylum.

Uzbekistan

127. (SBU) For Embassy Tashkent.

-- We commend the government of Uzbekistan for its efforts to improve human rights in 2008. Allowing the International Committee of the Red Cross (ICRC) access to prisons, releasing several human rights activists from prison, including most recently Mutabar Tojiboyeva, making progress on addressing the UN Special Rapporteur for Torture's recommendations from 2003, and the implementation of habeas corpus reveal a commitment to bringing the Uzbekistan justice system up to OSCE standards.

-- We also congratulate the government for the passage of human trafficking legislation and the ratification of two ILO conventions on child labor.

-- We urge the government to continue its positive momentum with respect to the justice system by continuing to allow ICRC access to Uzbek prisons, continuing to improve prison conditions, granting prisoners unfettered access to attorneys, releasing additional prisoners including those discussed privately with the U.S. and EU countries, such as Sanjar Umarov, and allowing Mutabar Tojiboyeva to leave Uzbekistan to receive medical treatment abroad.

-- We are disappointed by the recent increase in harassment of independent journalists, including the arrest of former Radio Free Europe/Radio Liberty (RFE/RL) reporter Salijon Abdurakhmanov on drug charges in Karakalpakstan. We call on the government to cease its broadcasts concerning Radio Free Europe/Radio Liberty's Uzbek-language Service "Ozodlik," which potentially threaten the safety of the journalists and their families. We also urge that you issue accreditation to international journalists, including those from RFE/RL, the Associated Press (AP), Reuters, the British Broadcasting Service (BBC), Agent France-Presse (AFP), and Deutsche Welle.

-- We applaud the enactment of anti-trafficking in persons legislation and encourage you to move forward in strengthening penalties against alleged human traffickers and to allow international monitors to assess the use of child labor during the fall cotton harvest, as a first step towards implementing the ILO child labor conventions.

-- We strongly believe that it is in the best long-term interests of both our countries that you grant amnesty to certain individuals convicted of membership in banned religious organizations. We ask you to revive your 2004-2006 commission responsible for the amnesty and reintegration of many of these prisoners and to continue our dialogue on religious freedom.

-- We are also concerned by the harassment of certain minority religious congregations, and the apparent media campaign against them, which we believe could incite religious hatred and social unrest. We urge your government to release religious minority prisoners Dmitri Shestakov, Irfan Hamidov and Olim Turayev.

-- We request that the government cease the extradition of individuals who have sought political asylum abroad, and provide assurances of the safety and whereabouts of Erkin Halikov, who was extradited from Kyrgyzstan in May. We further call on your government to cease harassment of Andijon refugees abroad, returned refugees, and their families who remain in Uzbekistan.

-- We urge your government to reconsider its denial of accreditation to the Human Rights Watch director in Tashkent, Igor Vorontsov.

-- We call on the government to allow the return of non-governmental organizations (NGOs) and media forced to leave the county following the 2005 Andijon events. Many of these NGOs contributed positively to Uzbekistan's development prior to their removal and could help verify and publicize Uzbekistan's recent improvements in human rights.

-- The United States stands ready to cooperate with Uzbekistan on human rights issues. We are interested in contributing to upcoming human rights related events outlined by President Karimov in his recent decrees and in sending U.S. government officials and international experts to human rights conferences in Uzbekistan.

-- We are ready to provide training for law enforcement officials on the new habeas corpus law. We are also prepared to receive Uzbek Parliamentarians, government officials, and religious leaders to the U.S. on exchange programs.

-- We are further interested in exploring the possibility of providing training on crowd control tactics to prevent tragedies such as the 2005 Andijon events.

RICE